

# Compare Spatial Differences in the Types of Local Self Governance amid Europe Countries and Azerbaijan Republic

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## Abstract

Along with the expansion of the municipal structure of the Chairman is elected directly by the local population is of particular importance. At an early stage in order to eliminate the overlap in local governance and territorial representatives of local authorities should be canceled. Experience has shown that the structure of the executive offices of the territorial local authorities so there is no need. In addition to expanding the powers of the municipal authorities to cancel it as soon as possible, to eliminate the overlap in local governance will have a significant impact.

**Keywords:** local government; municipal institution; the European Charter; the status of municipalities; local governance parallelism.

## 1. Introduction

The conceptual bases of local governance shall be accepted in domestic legislation and even in the constitution. Municipalities should realize that, they are foundation of the nation in their territory. They should increase their administrative role, action in order to provide each social, economic fields in the interests of local citizens. The main idea of this article analyzing conceptual foundations and statue, budget, revenues of municipalities in Azerbaijan Republic.

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## **2. Goal of the formation of local authorities**

The use of different models of the world (especially in the developed countries) practice municipal associations goal is the same - all members agreed position regarding the formation of local authorities, within the country and abroad to represent the interests of municipalities is one of the main targets of the national associations.

Units of local self-government for the first time at the beginning of 70s of the last century Central European countries began to take shape. At a later stage - in the early 90s, similar structures independent Eastern European, Baltic and CIS countries were established.

### ***2.1. A system of local self-organizing of the Republic of Azerbaijan***

A system of local self-organizing of the Republic of Azerbaijan, the system issues of local importance to them under the law to exercise their right to decide freely and independently and in the interests of the local population with the second part of Article 144 of the Constitution of the state rather than a part of gives the ability to implement [3:128]. This is the manner prescribed by law, equal and direct suffrage free, individual and collective representation of members of the council elected by secret ballot authorities (municipalities) are conducting meetings or citizens. Municipalities are responsible in front of them in order to fulfill their duties, may establish a permanent executive structures.

The significance of local authorities lies not only in their performance of local services, but also in their contribution to the improvement of democratic culture. The formation, powers, duties are regulated by law in accordance with the principle of constitution.

Amongst many factors that highlight the increasing significance of local government worldwide are developing political, technological, socio-economic growth and acceleration in the process of democratization, a movement away from centralized forms of governance in different levels.

Local authorities are democratic governmental organizations founded outside the central administration to carry out local public services. The establishment responsibilities of self-governance are governed by law principles. What is important is the establishment of municipal formation depends on the efficient functioning of local self-government bodies. Sometimes, these structures are intended only as a form of inter-municipal relations. The scope of cooperation between municipalities, municipal associations, rather than an institution, which includes the interests of the central government. Therefore, the effectiveness of international experience and local government associations evaluated on the basis of its ability to represent the interests of their members. It is known that in 2006 the village, town, city type, which represents the associations of municipalities established. In addition to their constituents, and they are also available in other municipalities in the number of species, differs depending on the area.

### ***2.2. Municipalities-A Category Municipalities***

Municipalities in big cities, they are exist and 500 000 - all over the region to coordinate service delivery voters

and has a metropolitan municipality. The municipalities are divided into wards. Half the members are elected through a proportional voting voters vote for a party.

### **2.3. Local Municipalities - Category B Municipalities**

Covering six metropolitan areas is divided into local municipalities in its own right. There are 231 of the total number of local municipalities and municipalities are divided into wards.

### **2.4. Regional Municipalities - Category C Municipalities**

It is a combination of a number of local municipalities in the county council districts. Category C municipalities, usually 6-4 are formed as a result of a combination of local municipalities. Article 10 of the Charter of Local Self-Government of the Council of Europe to the local self-governance bodies recognizes the right of association. Article 10.1 of the document notes that, when exercising their powers of municipalities, to carry out tasks of common interest to cooperate with authorities in other municipalities, within the limits prescribed by law and are entitled to associate with them. Also, due to the requirement of Article 10.2 of the Charter, the Council of Europe member states to protect the interests of municipalities, organizations and associations for the development of their communities and municipalities, including the right to be recognized by international bodies [10:312].

In turn, in accordance with Article 4.6 of the document, the government, municipalities, authorities with regard to the planning and decision consult with the authorities, and as fares possible in the process of setting such begin consultations in advance. In 2005, adopted by the Council of Europe ", in consultation with local authorities," the document notes that Recommendation No. 171, in consultation with local authorities to ensure effective management and policy decisions must be an integral part of the administrative processes. Finally, in accordance with the requirements of Article 5 of the Charter, any form of change of boundaries, with the local authorities to be consulted in advance. However, experts from the member states of the Council of Europe consider the following steps to increase the effectiveness of consultations:

- Central governments, associations of local authorities officially announced that consultations should be taken as a party.
- The development of local and regional associations should be supported.
- Central governments of their powers and responsibilities of municipalities on a regular basis, fiscal decentralization and allocation of financial resources must involve issues such as.
- To facilitate regular consultations with representatives of the central government, which represents the association and advisory body should be established.
- A member of the international association of national support.

Representatives of the associations of local authorities, including the operating in 2007, the Association of Rural Municipalities. These institutions legal basis of the status of municipalities is the law. Thus, it is noted that Article 10 of the law, municipalities to coordinate their activities, rights and interests, and that can create

alliances to carry out more effective alliances must be registered in accordance with legislation. Associations of various countries on the Council of Europe standards and the legal framework for analyzing the legal regulation of municipal associations appears in the following deficiencies.

1. European Charter of Local Self-Government Article 10.2 of Council of Europe member recognition of the right of states to join similar international associations demanded. However, there is no such provision in the legislation.

2. European Charter of Local Self-Government paragraphs 4.6 and 5, as well as the Council of Europe adopted in 2005, "in consultation with local authorities" in paragraph 7 of the paper No. 171 municipalities, government authorities with regard to the decisions stresses that the authorities consulted in the process of planning and setting. However, the legislation does not contain any such consultation mechanism.

Only Status of municipalities," it is noted that Article 13 of the Act, the identification and replacement of the municipal areas, municipalities, including editing, merging, splitting, the reorganization or liquidation of the social-economic situation when delimiting, history and other local features, taking into account the opinion of the territory's population is set by law. As can be seen, even if the change of boundaries in making important decisions regarding the participation of municipalities in the area is not considered.

The study revealed that the above A, B, C categories of types of local self-government was formed due to spatial differences. According to the characteristic of the land area of the municipalities in this category. For example, the number of voters in a Category A municipality must have at least more than 500,000. The maximum population of a municipality, the municipality of Khirdalan 91599 people [11:126]. Hence, it can be concluded that the A, B, C category requirements of local governments and municipalities are not suitable for the structure.

The current powers of the municipalities is quite limited. As you know, we are available parallelism in the activity of local self-government. Local controls, and the municipalities, as well as carried out by local authorities. In fact, the vast majority of local authorities structures. Among the powers of municipalities, law 4, 5, 6 substances, local and social development, local economic development and environmental programs to develop local-include: "But these are not issues should be covered by the program or the state, or in addition to those programs should be considered. This is the reservation restrict the powers of the municipalities in this area. Another thing is that we have joined the European Charter of Local Self-Government, and thus we have assumed great. One of these obligations, according to the Charter, and the proportion of local authorities should be given full powers. The powers of the municipalities are fairly limited compared to the full. One of the most serious problems in municipalities lack of funding. Last year, according to the statistics, the total income of municipalities amounted to 34 million. If we divided by per capita per year, per capita is 3.7 pounds. Of course, even with limited resources, the possibility of reduced quality of public service. The analysis allows municipalities to come to a general conclusion that a number of achievements in the field of local self-government, although there are also significant problems. Speaking of the above problems, it is not unusual; it is possible to fundamental nature. Thus, the most important challenges for local government covers important issues. These municipalities status, location of its political system, the legal basis of the municipalities, the

division of powers between municipalities and local authorities, local self-government and economic fundamentals. As such vital issues. Of course, it is necessary to take measures to solve the problems systematically. Thus, the efficient functioning of the local government area of the state program of development, and major reforms in this area. In this regard, the state government had undertaken reforms to decentralize and democratize local governance should be considered as a basic principle. Therefore, the analysis of municipality activities during the last period gives ground to come to a conclusion that though some solutions have been achieved in the local self-governance field in Azerbaijan. Reasoning from the abovementioned we can come to a finding that the problems are not simple, but fundamental. The existing problems cover important issues of principle nature. They include such important issues like status of municipalities, its place in the political system, division of powers between municipalities and executive authorities, taxes, budget sources, economic fundamentals of local self-governance. The reforms in this direction should be based on the principles of decentralization of the state power and democratization of local self-governance. All of these are dominant factors for the social- economic development of any municipality in Azerbaijan Republic.

### 3. Conclusions

If these factors are utilized rationally, according to the fairly methodology, will be productive for future purposes. The conceptual bases of local governance shall be accepted in domestic legislation and even in the constitution. Municipalities should realize that, they are foundation of the nation in their territory. These reforms should be implemented dinstas follows.

At the initial stage of the organizational structure and its financial capacity of municipalities are being made for expand. Along with the expansion of the municipal structure of the Chairman is elected directly by the local population is of particular importance. At an early stage in order to eliminate the overlap in local governance and territorial representatives of local authorities should be canceled. Experience has shown that the structure of the executive offices of the territorial local authorities so there is no need. In addition to expanding the powers of the municipal authorities to cancel it as soon as possible, to eliminate the overlap in local governance will have a significant impact.

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